

VERO BEACH TREE AND BEAUTIFICATION COMMISSION MINUTES

Thursday, November 19, 2020 – 9:30 a.m.

Council Chambers, City Hall, Vero Beach, Florida

PRESENT: Chairman, Marilyn Black Dussault; Vice Chairman, Cynthia Schwarz; Members: Fran Robinson, Neal Roe, and Katherine Booth **Also Present:** City Attorney, John Turner, Planning and Development Director, Jason Jeffries, Senior Planner, Gayle Lafferty, Grounds Maintenance Manager, Nanette Haynes, and Senior Administrative Assistant, Rita Hawkins

1. CALL TO ORDER

Chairman Dussault called today’s meeting to order at 9:30 a.m. and the Senior Administrative Assistant performed the roll call.

Mrs. Dussault announced that Mrs. Robinson asked to be excused from today’s meeting at 10:30 a.m. if they have not adjourned.

2. APPROVAL OF MINUTES

A) October 15, 2020

Ms. Schwarz made a motion to approve the minutes of the October 15, 2020 Tree and Beautification Commission meeting. Mr. Roe seconded the motion.

Mrs. Robinson said that there is one (1) correction on page six (6) of the minutes. Where it mentions the “Flexi” brochures, it should be Florida Exotic Pest Plant Council “FLEPPC” brochures.

The motion passed unanimously with the one (1) correction made.

3. PUBLIC COMMENT

None

4. NEW BUSINESS

None

5. OLD BUSINESS

A) Required Site Landscaping and Tree Protection Ordinance Research – Mr. Jason Jeffries, Director of Planning and Development, and Ms. Gayle Lafferty, Senior Planner

Mr. Jason Jeffries, Director of Planning and Development, said today he will be following up on the discussion they had last month regarding the changes to the Landscape Ordinance and the Tree Protection Ordinance. He said he researched the Model Native Plant Landscaping Ordinance that was brought up last month and he will go over that in presentation. He will also provide some information

on rare and endangered plants. The goal of reviewing this information is to get any recommendations or a consensus on any changes that the Tree and Beautification Commission would like to make to the Ordinance. He will take their recommendations or comments to the Planning and Zoning Board for them to review and combine with their recommendations. The recommended changes will then be presented to City Council for their review and direction. At this time he gave his Power Point presentation (copy attached to the original minutes). He said his impression of the Native Plant Landscaping Ordinance is that it is designed more for a community dealing with greenfield development. The Ordinance was not specific and left it to each community to determine how much native vegetation they want to require. He researched the Native Plant Landscaping Ordinances of other cities in Florida and their requirements ranged from 50 percent to 90 percent. Sanibel Island had the most stringent standards because it has a very unique ecosystem. He continued with his presentation and discussed his suggested regulation improvements.

Mrs. Dussault thanked Mr. Jeffries for his capsulation of the rules and regulations. It was wonderfully done and she appreciates that. She said that one (1) of their administrative goals should be to look at all the property rights and regulations to make sure they do not leave an opening to tie the City up in litigation for months or years.

Mrs. Booth stated that the presentation was excellent. She asked if the Commission could speak on this again next month if they are not going to make a final recommendation at this meeting. She is still researching some information and she would like to put it in a summary so she can present it to the Commission. She asked how many permits have been issued in the last year for the R-1AAA zoning district.

Mr. Jeffries replied none. He explained that there are only a few properties available along the River in the City's R-1AAA district.

Mrs. Booth asked if for single-family residential properties, when people apply for a permit for improvements could the City require them to meet an improved landscape code.

Mr. Jeffries said the City currently does not require landscape plans for single-family residential properties.

Mrs. Booth said they should initiate some protection for the urban forest, especially the Oak trees and the Sable Palm trees.

Mr. Jeffries said that falls under the Tree Protection Ordinance, which is different from the Landscape Ordinance. The Tree Protection Ordinance pertains to all properties. Anyone who wants to remove a tree is required to have a permit.

Mrs. Booth asked to clarify if the City requires plans for a Landscape Architect.

Mr. Jeffries replied that most Landscape Ordinances he is familiar with require the landscape design to be drawn up by a Landscape Professional. They usually get a better plan if they use a Landscape Professional instead of an Architect. Right now the City does not require that, but this has been brought up by the Planning and Zoning Board. One (1) member is a Landscape Architect and is concerned that it is not in the City Code. He believes this might be one of the recommendations that the Planning and Zoning Board might make.

Mrs. Booth asked who would be qualified as a Landscape Professional.

Mr. Jeffries stated that it would be a Landscape Professional or a certified Landscape Architect.

Ms. Gayle Lafferty, Senior Planner, explained that the Florida Nursery Growers and Landscape Association (FNGLA) have different levels of certifications. A Landscape Designer has to have two (2) years experience, pass a certification exam, and then maintain continuing education credits to be certified.

Mrs. Dussault said essentially, there is a definition and specifications to have a certification.

Ms. Lafferty replied absolutely.

Mrs. Booth stated that Landscape Architects are licensed by the State, so that person would have more qualifications than someone with just a certification. She said that some Landscape Professional companies require the minimum education of a bachelor's degree, specific to a science, in order for them to get certified through their organization. She asked Ms. Lafferty if she knows what the educational requirements are for the Landscape Designer designation that she was talking about.

Mrs. Lafferty replied that they have to have two (2) year's experience in the field, and she believes they need to have the Certified Horticultural Professional certification through the FNGLA. Many people like the Landscape Certification program better, because the people have worked in the field, they know the plants and know what works in different environments versus the Architect, who lacks on the ground experience.

Ms. Nanette Haynes, Grounds Maintenance Manager, said she does not believe there is an educational degree requirement with FNGLA, but they do require work experience.

Mrs. Booth said the International Society of Arboriculture has no minimum education requirement, so they cannot be licensed by the State. Their references that they have been working in the field are accepted at face value and they call themselves Arborists, but they may not have any real former training. These so-called Arborists take inappropriate pruning practices from prior employers and train other people with these bad practices.

Ms. Haynes said the FNGLA and the American National Standards Institute (ANSI) are completely different associations. When people apply to get a certification from FNGLA they perform a very in-depth analysis of their work experience. They have to go through training, take a class, and pass a test, which is very thorough. ANSI is more of an organization people can belong to and does not check a person's credentials. The FNGLA is a group of true professionals with high standards.

Mrs. Booth said sometimes she sees trees that are planted on the perimeter of properties, but they are very close to power lines or structures which causes them to be repeatedly over pruned. The City should consider how much room the tree will need before they approve plans.

Mr. Jeffries said that is a good point. They need to make allowances for substituting smaller trees for larger trees when they are in areas that could cause damage to the City's infrastructure or be damaging to the tree, especially along the perimeter of a property.

Mrs. Booth stated that if they are going to add some extra protection for Oak Trees, she would like to see the Sable Palms protected as well.

Mr. Jeffries explained that Palms are already protected, but the City Code does not have a lot of pull when it comes to trying to make someone build around trees. They make suggestions, but ultimately it is up to the property owner. Sable Palms can grow faster than Oak Trees or even some other hardwood trees, so that is why they give more emphasis on the Oak Trees.

Ms. Haynes said if they are comparing Sable Palms with Oak trees then yes, the Sable Palms grow faster. However, if a Sable Palm has been growing for a long time it has character and it adds to the landscape. She has noticed that Sable Palms are usually the first to go when land is being developed.

Mr. Jeffries said if it is the consensus of the Commission then perhaps they could look at adding additional protections for Sable Palms.

Mrs. Robinson asked that the Commission members be provide with a copy of Mr. Jeffries presentation. She asked Mr. Jeffries what he would be putting in the Code pertaining to the removal of invasive species.

Mr. Jeffries replied that he does not have much of the detail yet, but he is looking to keep it very broad. He believes the best way to word it would be to “promote” the removal since they do not require permits for the removal of invasive species.

Ms. Haynes stated that not all exotic plants are invasive. If a plant is not native then it is exotic, which includes a huge amount of landscape plants.

Mr. Jeffries said as they move through this process they will determine what plants they will recommend for removal.

Mrs. Robinson said it would take years to remove all the Brazilian Pepper trees. She would like to see them all gone, but the berries they produce are a food source for the birds.

Mrs. Dussault said if they did require a permit for the removal of invasive species, it would tell them where these invasive plants are. There are people who probably do not know what plants are invasive in Florida or how dangerous they are.

Mr. Row asked how does the Comprehensive Landscape Plan become an Ordinance.

Mr. Jeffries explained that any regulation they adopt has to be consistent with the Comprehensive Plan. The Comprehensive Plan consists of broad policies of the City. The language for an Ordinance is drafted by City staff and then it can be presented to the Advisory Commission. In this case it has to do with land development regulations, so it will go before the Planning and Zoning Board who will make a recommendation on it before City Council adopts it.

Mrs. Robinson excused herself from the meeting at 10:31a.m.

The commission continued to discuss the City’s zoning districts and Land Development Code with Mr. Jeffries in regards to single family residents and rental properties.

Ms. Schwarz thanked Mr. Jeffries for his presentation. She said some cities require 75 percent or even 100 percent of native plants. She asked why would cities not leave it at 50 percent.

Ms. Haynes replied that she cannot speak for other communities, but the ability to have a broader plant pallet will give a richer design with more texture and color. The Florida native plants are mostly green and do not provide much accent.

Ms. Schwarz said they are mainly talking about residential properties and she agrees that education is important to let people know why they should keep the Oak trees and Sable Palms and what vegetation should be removed.

Mr. Jeffries said in order to keep things consistent he suggests using the word “promote” when dealing with residential properties. They could also have a sustainable incentive program for people who would like to do more landscaping and submit a landscape plan. When it comes to single-family homes that is what would be consistent with the City’s Comprehensive Plan, because there is no language mandating landscaping.

Mrs. Booth asked Mr. Jeffries if he was talking about adding stronger mitigation requirements as a way to protect the trees.

Mr. Jeffries explained that if trees are in the buildable area they can be removed and when trees are outside the setback they have to mitigate five (5) percent of what is removed. They could put additional protection on the remaining trees to protect the Oak canopy. They have to be careful because people need to be allowed to use their property.

Mrs. Booth said that per the application, the cost to remove a mature Oak tree is only \$20.

Mr. Jeffries replied that he has seen some removal permits for a single tree costing thousands of dollars.

Ms. Lafferty explained that the \$20 tree removal permit fee is for a tree that is hazardous, dead, or diseased. For land development, there is a \$50 review fee and for a Live Oak it cost \$106 per inch that is removed that requires replacement.

Mrs. Booth asked if that is for multi-family and commercial properties.

Ms. Lafferty stated that is for any property including residential properties.

Mrs. Booth asked where can that information be found.

Ms. Lafferty stated that it is in the Tree Protection Ordinance.

Mrs. Booth said there must be a policy that states how much it costs to have trees removed.

Ms. Lafferty replied that the Ordinance states the dollar amount is the current market value.

B) Beautification Weekend February 13 & 14, 2021 - Community Involvement Proposal

Mrs. Dussault said she hopes this Beautification Weekend really helps bring the community together with everything that is going on. She submitted the proposal for the Beautification Weekend so they could all look it over (on file in the City Clerk's office). She did not include many of Mr. Roe's suggestions of reaching out to resources to ask for their involvement in this event, because they have been given approval to do that in the past. However, she did concentrate on the modification of an award program that previously existed. The Commission's goal is to promote and encourage people to participate.

Ms. Schwarz said she does have some comments about it, but she will need to leave shortly. She asked if they have time to discuss it more at their next meeting.

Mrs. Dussault replied that she will need time to get this presentation to City Council at their December 1, 2020 City Council meeting, so they will not be meeting again before then. The sooner they get this approved the more time they have to get the vendors on board. The purpose is to get people together to improve the community and do it in a safe way, because they will probably still be wearing masks in February.

Mrs. Booth said she likes the idea. She said she found out that Brevard County has a program for homeowners that recognizes native plants on private property and provides an award. They also certify lagoon friendly lawns. It has been a great success with good participation.

Ms. Schwarz asked if they could focus Beautification Weekend on swapping native and Florida friendly plants, so that can be part of their educational aspect.

Mrs. Dussault replied yes, they could do that. She said what they do to attract vendors and publicize the event does not affect anything in the proposal. The proposal is the broad overview of the event and they will have the City's approval. The Tree and Beautification Commission can give out the awards. The original Mayor's award had numerous categories, but they need to keep this simple for now.

Ms. Schwarz excused herself from the meeting at 11:01 a.m.

Mrs. Dussault asked if there were any corrections to the proposal and if not she would entertain a motion to approve the proposal as written.

Mr. Roe made a motion to approve the proposal as presented. Mrs. Booth seconded the motion.

Mrs. Booth added to Mr. Roe's motion authorizing Mrs. Dussault to go before City Council at their December 1st or December 15th meeting to present the proposal. Mrs. Roe seconded the motion and it passed unanimously.

C) Arbor Day Celebration/Tree Planting – Friday, April 30, 2021

Mrs. Dussault said she thinks it is premature to start considering any plans for an Arbor Day celebration. She recommended putting this item on their January meeting agenda.

Mrs. Booth said that the dedicatory tree brochure and the tree selection list on the City's website has not been updated.

The Senior Administrative Assistant replied that she will make sure the updated brochure is put on the website. She reported that the updated tree selection list was given to the City Attorney's office and to the Planning and Development Department, but she will follow up on it to see if it will be updated soon.

6. TREASURY REPORT

The Treasury Report was not provided for this meeting.

7. CHAIRMAN'S MATTERS

Mrs. Dussault explained that in December the Commission normally reviews their annual report that goes to City Council and they hold their election of officers. She asked if any of the members objected to having a December meeting. There were no objections.

8. MEMBER'S MATTERS

None

9. NEXT MEETING DATE

A) Next Meeting Date – December 17, 2020

The next meeting of the Tree and Beautification Commission is scheduled for December 17, 2020 at 9:30 a.m.

10. ADJOURNMENT

Today's meeting adjourned at 11:09 a.m.

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